UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/48/617
3 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 148

REQUEST FOR AN ADVISORY OPINION FROM THE INTERNATIONAL COURT OF JUSTICE

Report of the Sixth Committee

Rapporteur: Mr. Oleksandr F. MOTSYK (Ukraine)

I. INTRODUCTION

1. The item entitled "Request for an advisory opinion from the International Court of Justice" was included in the provisional agenda of the forty-eighth session of the General Assembly pursuant to Assembly decision 47/416 of 25 November 1992.

2. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it a letter dated 4 August 1993 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General (A/48/291-S/26242 and Corr.1).

4. The Sixth Committee considered the item at its 34th and 38th meetings, on 22 and 29 November 1993. The summary records of those meetings contain the views of the representatives who spoke during the Committee's consideration of the item (A/C.6/48/SR.34 and 38).

II. CONSIDERATION OF DRAFT DECISION A/C.6/48/L.15

5. At its 38th meeting, on 29 November, the Committee had before it a draft decision entitled "Request for an advisory opinion from the International Court of Justice" (A/C.6/48/L.15) submitted by the Chairman of the Sixth Committee. At the same meeting, the Committee adopted the draft decision without a vote (see para. 6).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Request for an advisory opinion from the International Court of Justice

The General Assembly,

(a) Decides to continue its consideration of the item entitled "Request for an advisory opinion from the International Court of Justice";

(b) Decides also to include this item in the provisional agenda of its forty-ninth session.

UNITED
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General Assembly

Distr.
GENERAL

A/48/618
1 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 152

QUESTION OF RESPONSIBILITY FOR ATTACKS ON UNITED NATIONS AND ASSOCIATED PERSONNEL AND MEASURES TO ENSURE THAT THOSE RESPONSIBLE FOR SUCH ATTACKS ARE BROUGHT TO JUSTICE

Report of the Sixth Committee

Rapporteur: Mr. Oleksandr F. MOTSYK (Ukraine)

I. INTRODUCTION

1. The item entitled "Question of responsibility for attacks on United Nations and associated personnel and measures to ensure that those responsible for such attacks are brought to justice" was included in the provisional agenda of the forty-eighth session of the General Assembly pursuant to a request by New Zealand (A/48/144).

2. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it the following documents:

(a) Proposal by New Zealand for a draft convention on responsibility for attacks on United Nations personnel (A/C.6/48/L.2);

(b) Letter dated 7 October 1993 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General transmitting the text of a draft international convention on the status and safety of the personnel of the United Nations force and associated civilian personnel (A/C.6/48/L.3).

4. The Sixth Committee initially considered the item at its 13th to 16th meetings, held between 19 and 21 October 1993. The summary records of those meetings contain the views of the representatives who spoke during the Committee's initial consideration of the item (A/C.6/48/SR.13-16).

5. At its 16th meeting, on 21 October, the Sixth Committee established a Working Group under this item and elected Mr. Philippe Kirsch (Canada) Chairman of the Working Group. The Working Group held five meetings between 19 October and 15 November.

6. At the 29th meeting of the Sixth Committee, on 15 November, the Chairman of the Working Group presented an oral report on the work of the Working Group (see A/C.6/48/SR.29).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/48/L.12

7. At the 35th meeting, on 23 November, the representative of New Zealand, also speaking on behalf of Ukraine, introduced a draft resolution entitled "Question of responsibility for attacks on United Nations and associated personnel and measures to ensure that those responsible for such attacks are brought to justice" (A/C.6/48/L.12) sponsored by Afghanistan, Australia, Austria, Belgium, Brazil, Canada, Denmark, Fiji, France, Hungary, Malaysia, Nepal, New Zealand, Norway, Poland, Portugal, Singapore, Spain, Sweden, Trinidad and Tobago, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela, later joined by Argentina, Bulgaria, Cambodia, Chile, the Czech Republic, Ecuador, Finland, Germany, Greece, Italy, the Netherlands, Nigeria, Peru, the Republic of Moldova, Romania, Tunisia and the United States of America.

8. The Committee had before it a statement by the Secretary-General on the programme budget implications of the draft resolution (A/C.6/48/L.14).

9. At its 37th meeting, the Committee adopted draft resolution A/C.6/48/L.12 without a vote (see para. 10).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Question of responsibility for attacks on United Nations and associated personnel and measures to ensure that those responsible for such attacks are brought to justice

The General Assembly,

Recalling the report of the Secretary-General entitled "An Agenda for Peace" 1/ and General Assembly resolution 47/120 B of 20 September 1993,

Recalling also its resolution 47/72 of 14 December 1992,

Gravely concerned at the increasing number of attacks on United Nations personnel that have caused death or serious injury,

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1/ A/47/277-S/24111.

Recalling the statement made by the President of the Security Council, on behalf of the Council, on 31 March 1993, 2/ in which the Security Council, inter alia, recognized the need for all relevant bodies of the Organization to take concerted action to enhance the safety and security of United Nations forces and personnel,

Recalling further the report of the Special Committee on Peace-keeping Operations, 3/

Having considered the report of the Secretary-General of 27 August 1993 on the security of United Nations operations, 4/

Recalling Security Council resolution 868 (1993) of 29 September 1993,

Noting with appreciation the draft proposals submitted by the delegations of New Zealand 5/ and Ukraine 6/ under this item,

Welcoming the oral report of the Chairman of the Working Group established under the item, 7/

1. Decides to establish an Ad Hoc Committee open to all Member States to elaborate an international convention dealing with the safety and security of United Nations and associated personnel, with particular reference to responsibility for attacks on such personnel;

2. Decides further that the Ad Hoc Committee shall be authorized to hold a session from 28 March to 8 April 1994 and, if the Ad Hoc Committee itself so decides, to hold a further session from 1 to 12 August 1994, to prepare the text of a draft convention, taking into account any suggestions and proposals from States as well as comments and suggestions that the Secretary-General may wish to provide on this subject, and bearing in mind views expressed during the debate on this item at the forty-eighth session of the General Assembly;

3. Requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

4. Requests the Ad Hoc Committee to report to the General Assembly at its forty-ninth session on progress made towards the elaboration of the draft convention;

2/ See S/25493.

3/ A/48/173.

4/ A/48/349-S/26358.

5/ A/C.6/48/L.2.

6/ A/C.6/48/L.3.

7/ See A/C.6/48/SR.29.

5. Recommends that a working group be re-established in the framework of the Sixth Committee at its forty-ninth session in the event that further work is required for the elaboration of the draft convention;

6. Decides to include in the provisional agenda of its forty-ninth session the item entitled "Question of responsibility for attacks on United Nations and associated personnel and measures to ensure that those responsible for such attacks are brought to justice".

UNITED
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General Assembly

Distr.
GENERAL

A/48/619
3 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 161

REVIEW OF THE PROCEDURE PROVIDED FOR UNDER ARTICLE 11 OF THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS

Report of the Sixth Committee

Rapporteur: Mr. Oleksandr F. MOTSYK (Ukraine)

I. INTRODUCTION

1. The item entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations" was included in the agenda of the forty-eighth session of the General Assembly at the request of Australia, Benin, France and Ireland.

2. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it a letter dated 16 September 1993 from the representatives of the Permanent Missions of Australia, Benin, France and Ireland to the United Nations addressed to the Secretary-General (A/48/232), to which an explanatory memorandum was attached in accordance with rule 20 of the rules of procedure of the General Assembly.

4. The Sixth Committee considered the item at its 36th and 38th meetings, on 23 and 29 November 1993. The summary records of those meetings contain the views of the representative who spoke during the Committee's consideration of the item (A/C.6/48/SR.36 and 38).

II. CONSIDERATION OF DRAFT DECISION A/C.6/48/L.19

5. At the 38th meeting, on 29 November, the representative of Ireland introduced a draft decision entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations" (A/C.6/48/L.19), proposed by Australia, Benin, France and Ireland.

6. At the same meeting, the Secretary of the Committee made a statement concerning paragraph (a) of the draft decision (see A/C.6/48/SR.38).

7. Also at the same meeting, the Committee adopted draft decision A/C.6/48/L.19 without a vote (see para. 8).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations

The General Assembly

(a) Requests the Secretary-General to carry out a review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations, taking into account the views expressed during the forty-eighth session of the General Assembly and any further views that States may submit, and to report thereon to the Assembly at its forty-ninth session, either as part of the report requested under resolution 47/226 of 8 April 1993 or separately;

(b) Decides to include in the provisional agenda of its forty-ninth session the item entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations".

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General Assembly
Security Council

Distr.
GENERAL

A/48/620
S/26770
19 November 1993
ENGLISH
ORIGINAL: ENGLISH/RUSSIAN

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 71
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Forty-eighth year

Letter dated 19 November 1993 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the resolution of the Verkhovna Rada of Ukraine on Ratification of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991, and of the Protocol thereto signed in Lisbon on behalf of Ukraine on 23 May 1992.

I would be grateful if you would have the text of the present resolution circulated as an official document of the General Assembly under agenda item 71, entitled "General and complete disarmament", and of the Security Council.

(Signed) Victor H. BATIOUK
Ambassador
Permanent Representative
of Ukraine to the United Nations

ANNEX

Resolution of the Verkhovna Rada of Ukraine on the ratification of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991, a/ and of the Protocol thereto signed in Lisbon on behalf of Ukraine on 23 May 1992 b/

The Verkhovna Rada of Ukraine,

Resolves to ratify on behalf of Ukraine, a successor State to the former USSR, the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms (hereinafter referred to as the Treaty), signed in Moscow on 31 July 1991, which includes the following documents, which are integral parts of the Treaty:

- Memorandum of Understanding on the Establishment of the Database relating to the Treaty,
- Protocol on Procedures Governing the Conversion or Elimination of the Items Subject to the Treaty,
- Protocol on Inspections and Continuous Monitoring Activities relating to the Treaty,
- Protocol on Notifications relating to the Treaty,
- Protocol on ICBM and SLBM Throw-weight relating to the Treaty,
- Protocol on Telemetric Information Relating to the Treaty,
- Protocol on the Joint Compliance and Inspection Commission Relating to the Treaty,
- Agreed Statements Annex,
- Definitions Annex,
- Protocol to the Treaty, signed in Lisbon on behalf of Ukraine on 23 May 1992 (with the exception of article V),

with the following reservations to the Treaty and the documents, which are integral parts thereof:

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a/ For the text, see CD/1192.

b/ For the text, see CD/1193.

1. In accordance with the Vienna Convention on Succession of States in Respect of State Property, Archives and Debts of 1983, the Law of Ukraine on the enterprises, institutions and organizations under Union authority located in the territory of Ukraine of 10 September 1991, and the fundamental concepts of the foreign policy of Ukraine, all the assets of the strategic and tactical nuclear forces deployed in Ukraine, including their nuclear warheads, shall be the state property of Ukraine;

2. Ukraine shall not consider itself bound by article V of the Lisbon Protocol;

3. Having come into possession of the nuclear weapons inherited from the former USSR, Ukraine shall exercise administrative control over the strategic nuclear forces deployed in its territory;

4. The people of Ukraine, who have suffered the disastrous consequences of the Chernobyl nuclear catastrophe, recognize their great responsibility towards the peoples of the world to ensure that nuclear war is not unleashed from Ukrainian territory. Ukraine shall therefore take the necessary measures to prevent the use of nuclear weapons deployed in its territory;

5. Ukraine, as a nuclear-weapon State, shall strive to achieve non-nuclear status and gradually eliminate the nuclear weapons deployed in its territory, provided that it receives reliable guarantees of its national security, under which nuclear States would assume an obligation never to use nuclear weapons against Ukraine, not to use conventional armed forces against it and to refrain from the threat of force, to respect the territorial integrity and inviolability of the frontiers of Ukraine and to refrain from economic pressure as a means of resolving disputes of any kind;

6. The reduction and subsequent elimination of strategic offensive nuclear weapons deployed in the territory of Ukraine shall be carried out in accordance with the provisions of the Treaty and article II of the Lisbon Protocol, on the basis that 36 per cent of its launchers and 42 per cent of its nuclear warheads shall be subject to elimination. This shall not preclude the possibility of the elimination of additional launchers and warheads in accordance with any procedures which may be determined by Ukraine;

7. Ukraine shall fulfil its obligations under the Treaty within the time-limits which it establishes, on the basis of legal, technical, financial, organizational and other considerations, to ensure proper nuclear and environmental safety and security. Taking into account the current economic crisis which it is undergoing, Ukraine will be able to fulfil these obligations only if sufficient international financial and technical assistance is provided;

8. The entry into force of the Treaty and its implementation shall not create any grounds for the States Parties to the Treaty to attempt to achieve unilateral advantages for their entities in the high-technology market, in scientific and technological exchanges and cooperation in the use of nuclear energy for peaceful purposes, and in the use of missile technology, which could be detrimental to the national interests of Ukraine;

9. If the dismantlement and elimination of nuclear warheads deployed in the territory of Ukraine takes place outside its territory, Ukraine shall exercise direct control over that process in order to ensure that the nuclear component of those nuclear warheads is not used for the production of new nuclear weapons;

10. The conditions and the schedule for the transfer of nuclear warheads for dismantlement and elimination shall be determined by a special agreement or agreements providing either for the return to Ukraine of the components of the nuclear weapons so that they may be used for peaceful purposes or for payment of compensation for their value. The conditions relating to compensation shall also apply to the tactical nuclear weapons withdrawn from the territory of Ukraine to Russia in 1992;

11. Since Ukraine did not participate directly in the negotiations relating to the drafting of the Treaty, it is recommended that the President and the Government of Ukraine should conduct negotiations with the States concerned and with international organizations on the following matters:

(a) International guarantees of the national security of Ukraine;

(b) The conditions governing economic, financial, scientific and technical assistance in the implementation of the obligations assumed under the Treaty;

(c) The servicing and maintenance of nuclear warheads and missile complexes by the manufacturers;

(d) The review of the conditions governing the financing of inspection activities under the Treaty;

(e) The possibilities of using silos for peaceful purposes, under reliable supervision;

(f) The conditions governing the use of weapons-grade fissionable materials removed from nuclear weapons in the process of their elimination;

(g) Guarantees of fair compensation for the material value of components of nuclear weapons;

12. It is recommended that the President of Ukraine approve the schedule for the elimination of strategic offensive arms specified in this resolution and ensure control over its implementation;

13. It is recommended that, when preparing Ukraine's budget for 1994, the Cabinet of Ministers of Ukraine should open a special budget line for costs incurred in the fulfilment by Ukraine of its obligations under this Treaty.

* * *

Ukraine will proceed to the exchange of the instruments of ratification only after the conditions specified in paragraphs 5, 6, 7, 9, 10 and 11 above have been met.

The Verkhovna Rada of Ukraine expresses the hope that the nuclear States which are not parties to the Treaty will associate themselves with the efforts being made by Ukraine and other successor States to the former USSR, as well as by the United States of America, and will begin to reduce their nuclear arsenals.

The entry into force of the Treaty and its implementation will open the way for a decision by the Verkhovna Rada on the issue of the accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968. c/

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c/ General Assembly resolution 2373 (XXII), annex.

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General Assembly
Security Council

Distr.
GENERAL

A/48/620/Corr.1
S/26770/Corr.1
2 December 1993

ENGLISH ONLY

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 71
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Forty-eighth year

Letter dated 19 November 1993 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Corrigendum

Page 3, paragraph 3, first line

For Having come into possession read Having become the owner.

Page 3, paragraph 5, first line

For as a nuclear-weapon State read as a State-owner of nuclear weapons.

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General Assembly
Security Council

Distr.
GENERAL

A/48/621
S/26771
19 November 1993
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 79
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 18 November 1993 from the Permanent Representatives of Cambodia and the Lao People's Democratic Republic to the United Nations addressed to the Secretary-General

We have the honour to transmit to you herewith a joint Lao-Cambodian communiqué dated 7 November 1993, signed at Phnom Penh by His Excellency Khamtay Siphandone, Prime Minister of the Government of the Lao People's Democratic Republic, and His Royal Highness Sdech Krom Luong Norodom Ranariddh, First President of the Council of Ministers, and His Excellency Mr. Hun Sen, Second President of the Council of Ministers of the Royal Government of Cambodia (see annex). We would be grateful if you would arrange for the text of this letter and its annex to be circulated as an official document of the General Assembly, under agenda item 79 and of the Security Council.

(Signed) Alounkeo KITTIKHOUN
Ambassador
Permanent Representative of the
Lao People's Democratic Republic

(Signed) Sisowath SIRIRATH
Ambassador
Permanent Representative
of the Kingdom of Cambodia

ANNEX

Joint Lao-Cambodian Communiqué dated 7 November 1993, signed at Phnom Penh by the Prime Minister of the Government of the Lao People's Democratic Republic and the First and Second Presidents of the Council of Ministers of the Government of Cambodia

1. At the invitation of His Royal Highness Sdech Krom Luong Norodom Ranariddh, First President of the Council of Ministers, and of His Excellency Mr. Hun Sen, Second President of the Council of Ministers, His Excellency Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic, paid an official friendship visit to the Kingdom of Cambodia from 4 to 7 November 1993.

2. During his stay in Cambodia, His Excellency Mr. Khamtay Siphandone met with His Excellency Mr. Chea Sim, President of the National Assembly and Head of State ad interim. At this meeting, His Excellency Mr. Khamtay Siphandone was briefed on the work of the Constituent Assembly which had led to the adoption of the new Constitution and of the work of the new National Assembly, whose first session had begun on 25 October 1993. His Excellency Mr. Khamtay Siphandone expressed his warmest congratulations to His Excellency Mr. Chea Sim on the latter's election to the office of President of the National Assembly of Cambodia and wished him every success in fulfilling his noble mission.

At the meeting, His Excellency Mr. Khamtay Siphandone transmitted, through His Excellency Mr. Chea Sim, a letter from His Excellency Mr. Nouhak Phoumsavanh, President of the Lao People's Democratic Republic, inviting His Majesty Norodom Sihanouk Varman, King of Cambodia, and Queen Norodom Monineath Sihanouk to pay an official friendship visit to the Lao People's Democratic Republic at their convenience. His Excellency Mr. Khamtay Siphandone also presented His Majesty Norodom Sihanouk Varman with a gift on the occasion of his seventy-first birthday and conveyed to His Majesty the King best wishes for health and long life.

3. His Excellency Mr. Khamtay Siphandone and his delegation also placed a wreath at the Independence Monument and visited several sites of cultural and economic interest in Phnom Penh and Sihanouk City.

Everywhere His Excellency Mr. Khamtay Siphandone and his delegation went they received a warm welcome from the Cambodian authorities and people.

4. An official meeting between the delegation of the Royal Government of Cambodia, led by His Royal Highness Sdech Krom Luong Norodom Ranariddh and His Excellency Mr. Hun Sen, and the delegation of the Government of the Lao People's Democratic Republic, led by His Excellency Mr. Khamtay Siphandone, took place at the residence of the President of the Council of Ministers in an atmosphere of friendship, sincerity and mutual understanding.

5. At the meeting, the parties informed each other of recent developments in the situation of their respective countries and exchanged views on the prospects

for strengthening the ties of friendship and cooperation between the two countries and on regional and international problems of concern to them.

6. The Cambodian party provided a warm reception for His Excellency Mr. Khamtay Siphandone and his delegation, whose official visit was of great historical significance and a contribution to the promotion and further strengthening of the relations of good-neighbourliness already existing between Cambodia and Laos. On behalf of the Royal Government and People of Cambodia, His Royal Highness Sdech Krom Luong Norodom Ranariddh and His Excellency Mr. Hun Sen reiterated their deep gratitude to the fraternal Lao people and to the Government of the Lao People's Democratic Republic for their firm and active support of the Cambodian people and the role they had played in the peace process in Cambodia.

7. The Cambodian party welcomed the significant achievements of the Lao Government and people, which it had had an opportunity to observe during its recent visit to the Lao Peoples Democratic Republic, brought about by the policy of reform begun under the clear-sighted guidance of the Parti Populaire Révolutionnaire Lao (Lao People's Revolutionary Party).

8. His Excellency Mr. Khamtay Siphandone and his delegation expressed appreciation for the positive outcome of the process of peace and national reconciliation in Cambodia, culminating in the adoption and promulgation of a new Constitution, the restoration of the constitutional monarchy and the return of His Majesty Norodom Sihanouk Varman as King of Cambodia. On behalf of the Lao Government and people, they also expressed their warmest congratulations to the recently formed Royal Government of Cambodia, headed by His Royal Highness Sdech Krom Luong Norodom Ranariddh and His Excellency Mr. Hun Sen, who had spared no efforts to restore peace, achieve national reconciliation and build an independent, peaceful, neutral, non-aligned and prosperous Cambodia.

9. The two parties paid a tribute to His Majesty Norodom Sihanouk Varman for the noble and historic role he had played in attaining the unity, peace, political stability, national reconciliation, rehabilitation and reconstruction of Cambodia.

10. The parties expressed satisfaction with the current situation of the traditional ties of friendship and good-neighbourliness between the two countries and reaffirmed their determination constantly to develop and strengthen those ties on the basis of the principles of mutual respect for the independence, sovereignty and territorial integrity of each country, non-interference in the internal affairs of each country, the non-use of force or threats of force, the peaceful settlement of all problems in the relations between the two countries, cooperation, equality and mutual advantage.

11. In that spirit, the two parties stressed the need for and importance of still closer cooperation between the two countries. An agreement on economic, scientific, technical and cultural cooperation was therefore signed by the two Governments.

12. The parties noted that, despite disputes and armed conflicts persisting in certain parts of the world, the situation in South-East Asia was developing positively towards peace, stability and cooperation. They reaffirmed their firm

intention of cooperating more closely with the countries of the region with a view to making that part of the world an area of peace, friendship and cooperation. They also stated that the Lao People's Democratic Republic and the Kingdom of Cambodia should cooperate more closely for the protection of the environment as part of the work of the International Mekong Committee, in the common interest of the peoples of all the States bordering that river.

13. The parties expressed their pleasure at the success of the visit of His Excellency Mr. Khamtay Siphandone to Cambodia, which represented an outstanding event in the history of the good relations between the two countries.

14. His Excellency Mr. Khamtay Siphandone sincerely and warmly thanked the Royal Government and people of Cambodia for their friendly sentiments and the warm reception they had given to the delegation of the Government of the Lao People's Democratic Republic.

Done at Phnom Penh, on 7 November 1993

For the Government of the
Lao People's Democratic Republic

Khamtay SIPHANDONE
Prime Minister

For the Royal Government of
Cambodia

Norodom Ranariddh
First President
of the Council of
Ministers

Hun Sen
Second President
of the Council of
Ministers

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/48/622
19 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 138 (a)

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS: FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS

Establishment of a Peace-keeping Reserve Fund

Report of the Secretary-General

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I. INTRODUCTION

1. By resolution 47/217 of 23 December 1992, the General Assembly decided to establish under the authority of the Secretary-General, effective 1 January 1993, a Peace-keeping Reserve Fund as a cash-flow mechanism to ensure the rapid response of the Organization to the needs of peace-keeping operations. The Assembly decided that the level of the Peace-keeping Reserve Fund should be $150 million.

2. The General Assembly also decided, in subparagraph (f) of the same resolution, that the Fund shall be financed as follows:

> "(i) By the transfer of the balance of the excess of income over expenditures in the special accounts for the United Nations Transition Assistance Group and the United Nations Iran-Iraq Military Observer Group after the credits to Member States have been applied in accordance with General Assembly resolutions 45/265 of 17 May 1991 and 47/206 and 47/207 of 22 December 1992, based on the latest rates of apportionment applied for the Transition Assistance Group and the Military Observer Group;
>
> "(ii) By the transfer of whatever portion of the amount of 154,881,112 dollars retained in the General Fund pursuant to General Assembly resolution 42/216 A of 21 December 1987 is needed for each Member State to reach its fixed share of the Peace-keeping Reserve Fund based on the ad hoc apportionment set out in Assembly resolution 45/247;".

3. In subparagraph (j) of resolution 47/217, the General Assembly decided to address the issue of the imputation of interest income earned in the Peace-keeping Reserve Fund at the earliest opportunity during its forty-seventh session. In subparagraph (l), the Assembly requested the Secretary-General to report on actions taken to implement the resolution at the earliest opportunity during its forty-seventh session.

4. The Secretary-General, in a note of 24 February 1993 (A/47/898), informed the General Assembly inter alia that an initial amount of $59 million had been transferred from the United Nations Transition Authority Group (UNTAG) and the United Nations Iran-Iraq Military Observer Group (UNIIMOG) to the Fund, pending the closure of the accounts as at 31 December 1992, and that a further transfer of residual amounts would be made to the Peace-keeping Reserve Fund as soon as the special accounts of UNTAG and UNIIMOG were closed at 31 December 1992. However, the major portion of the remaining amount required to provide the full $150 million to fund the Peace-keeping Reserve Fund is to be financed from the amount retained pursuant to General Assembly resolution 42/216 A of 21 December 1987. In view of the substantial unpaid assessments owed to the regular budget, it was not expected that a cash contribution to the Peace-keeping Reserve Fund from the outstanding assessments would be available for some time. Upon receipt of these amounts, priority would be given to repaying amounts owed to the Special Account and the Working Capital Fund before payment could be made to the Peace-keeping Reserve Fund. The General Assembly was also informed at that time that amounts had been loaned to certain peace-keeping

operations from the Peace-keeping Reserve Fund to meet their temporary cash shortages. The Secretary-General informed the Assembly that a separate document indicating Member States' shares of the Peace-keeping Reserve Fund on the basis of the ad hoc apportionment as set out in General Assembly resolution 45/247 of 21 December 1990 would be issued at a later date.

5. At the resumed forty-seventh session, the Fifth Committee took note of the information provided by the Secretary-General on the establishment of a Peace-keeping Reserve Fund and requested him to report further on the implementation of resolution 47/217, through the Advisory Committee on Administrative and Budgetary Questions, taking into account the views expressed by Member States on the issue.

6. The present report to the General Assembly is submitted in accordance with the request of the Fifth Committee.

II. STATUS OF THE FUND

7. The Peace-keeping Reserve Fund has been funded by transfers of balances from the Special Account for UNTAG ($47.0 million) and the Special Account for UNIIMOG ($17.2 million) upon closure of those accounts as at 31 December 1992. The Fund has also received a voluntary contribution of ($0.4 million) from the Government of Switzerland and interest income ($0.4 million). Included in the transfer from the Special Account for UNTAG is an amount of $3.4 million, which was requested to meet the shortfall in the programme for the repatriation of Namibians undertaken by the Office of the United Nations High Commissioner for Refugees. The shortfall was financed through voluntary contributions by the Governments of Sweden and Norway.

8. A summary status of the Peace-keeping Reserve Fund as at 31 October 1993, indicating a balance of $269,634, is presented in annex I.

9. It should be noted that the transfer of the fund balances from UNTAG and UNIIMOG ($64.2 million) into the Peace-keeping Reserve Fund represents approximately 43 per cent of the established level ($150 million) of the Fund. Owing to the persistent shortfalls in the receipt of assessed contributions to the regular budget, the General Fund has not been able to pay its share ($85.8 million) of the Peace-keeping Reserve Fund in accordance with subparagraph f (ii) of General Assembly resolution 47/217.

III. UTILIZATION OF THE FUND

10. Annex II to the present report shows the utilization of the Peace-keeping Reserve Fund from its inception in January 1993 to 31 October 1993, as well as the end of month available cash balances. Most of the $64.2 million transferred into the Peace-keeping Reserve Fund has been used to meet the cash-flow needs of existing peace-keeping operations rather than for the start-up of new operations. The United Nations Iraq-Kuwait Observation Mission (UNIKOM), the United Nations Angola Verification Mission (UNAVEM), the United Nations Observer Mission in El Salvador (ONUSAL) and the United Nations Transitional Authority in Cambodia (UNTAC) have all suffered cash depletions during 1993 and with the

exception of UNIKOM they continue to experience serious financial difficulties. Apart from the loans made to the above-mentioned existing peace-keeping operations, some $0.1 million has been loaned to the United Nations Observer Mission Uganda-Rwanda (UNOMUR) for initial start-up costs.

11. As at 31 October 1993, outstanding contributions to current peace-keeping operations financed by assessment totalled $1,027.3 million. A summary of experience in 1993 to date, recorded by individual operation, is as follows:

	Balance due 1 Jan. 1993	Assessment in 1993 Period	Assessment in 1993 Amount	Collected in 1993	Balance due 31 Oct. 1993
	(Millions of United States dollars)				
UNDOF	19.1	12/92-11/93	34.9	31.4	22.6
UNIFIL	227.6	2/93-1/94	145.7	161.3	212.0
UNAVEM I and II	21.5	11/92-9/93	34.1	24.7	30.9
UNIKOM	23.0	11/92-10/93	47.7	44.3	26.4
MINURSO	20.9	-	-	0.5	20.4
ONUSAL (including ONUCA)	24.2	12/92-11/93	26.8	25.4	25.6
UNTAC (including UNAMIC)	165.5	11/92-7/93	633.1	567.9	230.7
UNPROFOR	60.2	10/92-9/93	806.7	651.9	215.0
UNOSOM	101.9	5/93-10/93	487.4	447.5	141.8
ONUMOZ	-	10/92-10/93	193.3	100.9	92.4
UNFICYP	-	6/93-12/93	8.5	2.2	6.3
UNIIMOG	1.0	-	-	0.1 a/	0.9
UNTAG	2.3	-	-	0.02 a/	2.3
	667.2		2 418.2	2 058.1	1 027.3

a/ Includes credits from unencumbered balance.

12. The pattern of collection of peace-keeping assessments indicates that many Member States do not make systematic payments to each peace-keeping operation. As a result, cash requirements for a number of the ongoing peace-keeping operations have had to be met by borrowing from the resources available in the Peace-keeping Reserve Fund. This has resulted in the inability of the Fund to be used to provide basic start-up costs for newly established peace-keeping operations.

13. Recent peace-keeping operations have required substantial commitments in order to meet their start-up costs and immediate operational needs. The balance of $0.3 million in the Peace-keeping Reserve Fund is hardly sufficient to meet such costs. Hence the demand for timely and adequate financing of peace-keeping operations is of crucial importance.

IV. OBSERVATIONS

14. In accordance with subparagraph f (ii) of General Assembly resolution 47/217, the balance required to fully fund the Peace-keeping Reserve Fund ($85.8 million) is to be derived from the payment of arrears to the regular budget. However, until sufficient regular budget arrears and current assessments are received to enable the Organization to replenish the Working Capital Fund ($100 million) and the Special Account ($140 million) and to provide for current regular budget requirements, there is no possibility to make this necessary transfer to the Peace-keeping Reserve Fund.

15. Current monthly expenses for peace-keeping operations amount to some $215 million. Even if the Peace-keeping Reserve Fund were to be fully funded to its established level of $150 million, it would not be sufficient to meet peace-keeping expenses for one month. Serious consideration should be given to reviewing the adequacy of its current established level. This issue was elaborated in the recent report of the Secretary-General on improving the financial situation of the United Nations (A/48/565 and Corr.1), which addressed the recommendations of the Independent Advisory Group on United Nations Financing. Specifically, paragraph 38 of that report referred to recommendation 14 of the Independent Advisory Group (A/48/460, para. 74), which stated that "the United Nations should establish a much larger revolving fund, set at $400 million, financed by three annual assessments".

16. With regard to subparagraph (j) of resolution 47/217, on the issue of the imputation of interest income earned in the Peace-keeping Reserve Fund, no action is being proposed in light of the views expressed at the forty-seventh session that such action should be addressed by Member States.

17. As required by subparagraph (k) of resolution 47/217, the Fund is being administered in accordance with the Financial Regulations and Rules of the United Nations, without prejudice to the funding of the activities of the regular budget.

18. Member States' shares of the Peace-keeping Reserve Fund will be established shortly.

ANNEX I

Summary status of the Peace-keeping Reserve Fund
as at 31 October 1993

(United States dollars)

Authorized level of the Fund			150 000 000
(a) Transfers to the Fund pursuant to General Assembly resolution 47/217, subpara. (f) (i)			
i. From UNTAG			
	28 February 1993	42 000 000	
	12 May 1993	4 959 222	46 959 222
ii. From UNIIMOG			
	28 February 1993	17 000 000	
	10 May 1993	240 369	17 240 369
(b) Interest income			
Interest income earned to date			397 006
(c) Voluntary contribution a/			351 989
Total receipts (a) + (b) + (c)			64 948 586
(d) Outstanding loans to peace-keeping operations			
ONUSAL		6 000 000	
UNAVEM		21 672 400	
UNTAC		36 900 000	
UNOMUR		106 552	
Total loans			64 678 952
AVAILABLE BALANCE (a) + (b) + (c) - (d)			269 634

a/ Voluntary contribution from Switzerland.

ANNEX II

Utilization of the Peace-keeping Reserve Fund
from 1 January to 31 October 1993

(Millions of United States dollars)

	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.
Receipts	59.0	59.0	59.0	64.4	64.4	64.5	64.6	64.6	65.0
Loans outstanding									
ONUSAL	5.0	5.0	5.0	5.0	5.0	5.0	5.0	6.0	6.0
UNIKOM	12.0	12.0	12.0	5.0	5.0	-	-	-	-
UNAVEM	15.9	15.9	15.9	15.9	18.5	21.7	21.7	21.7	21.7
UNTAC		-	-	31.4 (31.4)	-	10.0	32.0	32.0	36.9
UNPROFOR	-	-	-	-	-	-	-	4.9 (4.9)	-
UNOMUR	-	-	-	-	-	-	-	-	0.1
Total loans outstanding	32.9	32.9	32.9	25.9	28.5	36.7	58.7	59.7	64.7
Available balance (excluding funds earmarked and not released)	26.1	26.1	26.1	38.5	35.9	27.8	5.9	4.9	0.3

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/48/623
S/26772
23 November 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 79
REVIEW OF THE IMPLEMENTATION
OF THE DECLARATION ON THE
STRENGTHENING OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 19 November 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith a letter from His Excellency Mr. Vladislav Jovanović, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 79, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

ANNEX

Letter dated 15 November 1993 from the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the Secretary-General

Deeply alarmed by the activities carried out in the Republic of Croatia with a view to exterminating the Serb people in the region in violation of the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide of 1948, I have informed the competent bodies and commissions of the United Nations, as well as other international forums, about mass murders of Serbs, destruction of many Serb settlements and the ethnic cleansing of towns and villages with a mixed population (Zagreb, Osijek, Vinkovci, Novska, Slavonska Požega, Karlovac, Sisak, Varaždin, Daruvar, Virovitica, Bjelovar, Dubrovnik, Sibenik, Zadar and others, in some of which Serbs accounted for up to 41 per cent of the overall population, have now become almost ethnically "pure Croatian towns").

The aim of the activities of the Croatian authorities is not only the ethnic cleansing and the expulsion of Serbs from their ancestral homes. The totalitarian Croatian authorities have made every effort to remove all traces of the centuries-old life and culture of Serbs in the territory within the present-day Republic of Croatia. These activities of the Government of Croatia and its subordinate organs, carried out in contravention not only of the Convention on the Prevention and Punishment of the Crime of Genocide, but also of the provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Protection of Cultural Heritage, are manifested, in particular, in their attempts to remove the traces of the centuries-old presence and activity of the Serbian Orthodox Church in this territory and to prevent its further work. The following information is the best evidence of such intentions of the Government of Croatia:

1. Situation in Serbian Orthodox Church eparchies

Churches and Bishop's residences have been either dynamited, burned down or damaged in each of the five eparchies of the Serbian Orthodox Church, established in the territory of the former Yugoslav federal unit of Croatia. The damage, extensive everywhere, varies from eparchy to eparchy. The following information on the level of destruction in its eparchies in Croatia has been supplied by the Serbian Orthodox Church and confirmed by the EC Monitoring Mission:

(a) Eparchy of Dalmatia

(1) 13 Churches demolished;

(2) 15 Churches heavily damaged, 4 residences, 1 monastery and 2 chapels damaged and 2 cemeteries demolished.

(b) Eparchy of Zagreb and Ljubljana

(1) 9 Churches demolished;

(2) 25 Churches heavily damaged;

(3) Residence of the Metropolitan of Zagreb and Ljubljana in Zagreb dynamited, 5 residences demolished and 4 residences, 2 chapels and a church museum damaged.

(c) Eparchy of Gornji Karlovac

(1) 5 Churches demolished;

(2) 18 Churches damaged, 3 residences demolished and 7 damaged; 5 cemeteries demolished.

(d) Eparchy of Slavonia

(1) 31 Churches demolished;

(2) 15 Churches heavily damaged;

(3) The Bishop's Residence in Pakrac demolished and looted, 2 monasteries damaged, 20 residences and other ecclesiastical establishments demolished. Out of them, 13 establishments have been dynamited and 7 burned down; 5 chapels have been demolished and 7 residences, 7 chapels and 2 cemeteries damaged.

183 Serb villages have been destroyed and 10 towns ethnically cleansed in the Eparchy of Slavonia.

(e) Eparchy of Osijek and Polje and Baranja

(1) 12 Churches demolished;

(2) 21 Churches heavily damaged, 6 residences dynamited and 8 damaged; 3 chapels demolished and 2 damaged; 2 cemeteries demolished and 1 damaged.

2. Destruction of important cultural and historic monuments

The cultural and historic heritage of the Serb people, protected as a cultural heritage of major importance, has been destroyed with the knowledge and participation of the Croatian authorities, out of which I point to the following:

(a) Log churches at Rastovac, built in 1700, and at Donja Račenica built, in 1709, burned down;

(b) The Museum of the Serbian Orthodox Church in Zagreb, with exhibits from thirteenth to nineteenth centuries dynamited;

(c) The Bishopric Library, founded by the Serb Patriarch Arsenije Čarnojević in 1690 in Pakrac, has been looted. The library housed invaluable cultural assets which made it the most prestigious library of the Serb people.

The intention of the Croatian authorities to ethnically cleanse the Serb historical and ethnic territories and to eliminate the traces of the centuries-long existence of Serbs in those territories is evinced also by the fact that about 70 per cent of the demolished or damaged ecclesiastical establishments are located outside combat zones, some of them over 50 km away from the frontline (Pula, Rijeka, Zagreb). The Croatian Army displayed singular insensitivity towards the Serbian Orthodox church in the village of Kučanci, the birthplace of the present Serbian Patriarch Pavle. The Croatian authorities have also expelled the Bishops of the Serbian Orthodox Church from Croatia and did everything to prevent their return. To that effect, they dynamited or demolished all Bishops' residences and cathedral churches, including those in Pakrac, the hub of Serbian spiritual life in Western Slavonia, Osijek, Karlovac and elsewhere. In a word, everywhere in the territory of the former Yugoslav federal unit of Croatia, where the Serb people offered no resistance (in ethnically mixed communities) or where it expressed allegiance to the new Croatian authorities, the Serb people have been the victim of genocide. History has repeated itself, the ignominious policy of Mile Budak, Minister in Pavelić's quisling Government of the so-called Independent State of Croatia during the Second World War, has risen its ugly head all over again: Serbs are to be killed, expelled or converted into Catholicism. An important street in Zagreb has been recently renamed after Budak, while surviving Ustaha war criminals from the Second World War have found their place in the Croatian Sabor, Government and diplomacy.

Confident that the United Nations and the international community as a whole will not turn a blind eye to these gross violations of the rights of the Serb people in a United Nations Member State, carried out in blatant disregard of the fundamental principles of international law, I trust and believe that Your Excellency will take appropriate measures, in accordance with the Charter of the United Nations, to prevent the ethnic cleansing and the destruction of the establishments of the Serbian Orthodox Church and the cultural heritage of the Serb people in the territory of the Republic of Croatia.

(Signed) Vladislav JOVANOVIĆ

APPENDIX I

The results of an investigation by a team of the European Community Monitoring Mission to Yugoslavia on 7 November 1992 addressed to His Beatitude Bishop Lukijan as a result of his inquiry

A.	Oblakovac.	Every house destroyed, no inhabitants remain.
B.	Vučjak Čačavači.	Every house destroyed, no inhabitants remain.
C.	Jominovac.	Every house destroyed, no inhabitants remain.
D.	Kujnik.	Every house destroyed, no inhabitants remain.
E.	Orljavac.	All Serb houses destroyed only Croat residents remain.
F.	Crljenci.	Every house destroyed, no inhabitants remain.
G.	Šlubоština.	Every house destroyed, no inhabitants remain.
H.	Milivojevci.	Every house destroyed, no inhabitants remain.
I.	Podsreće.	Every house destroyed, no inhabitants remain.
J.	Vranić.	Every house destroyed, no inhabitants remain.
K.	Nješić.	Every house destroyed, no inhabitants remain.
L.	Pozeški.	As there are many villages with the second part of the name Pozeški, clarification is required.
M.	Markovac.	Every house destroyed, no inhabitants remain.
N.	Klisa.	Every house destroyed, no inhabitants remain.
O.	Odzakovoi.	Every house destroyed, no inhabitants remain.
P.	Poljanska.	The village is in relatively good shape - about 12 houses have been destroyed.
Q.	Kantrovoi.	Every house destroyed, no inhabitants remain.
R.	Gornji Vrhovoi.	Every house destroyed, no inhabitants remain.
C.	Lučinoi.	Most of the Serbs have returned to the village and two families, who now live in Posega, returned to work on a farm. There are very few damaged houses and Croat and Serb residents live in harmony. Three Muslim refugee families have moved into the village from Bosnia.

/...

A. Šnjegavić. We were unable to visit this village as the road to the village was blocked. We suspect that this village has also been destroyed.

B. Oljasi. The parish house has been considerably damaged, but not completely destroyed. It could be repaired.

C. Smoljanovoi. Although the bell tower is still standing, all houses in the village have been destroyed and no inhabitants remain.

3. Response to paragraph 6:

A. Treštanovci. The orthodox priest Vojislav Blagojevic left his parish voluntarily about 17 August 1992 and returned to his native town in Bosnia. His wife and children returned to Serbia prior to his departure. Discussion with villagers indicate that approximately 70 per cent of the village is Serbian and they live in complete harmony with their Croat neighbours. The orthodox priest left his home after all the villages in his parish had been destroyed and the people had left them.

B. Jakšić. The village now contains a population of 25 to 28 per cent Serbs, 10 per cent Muslim/Albanian and the remainder Croat. The houses that have been blown up are those of people who have left the village. Conditions are 100 per cent better now than before the war and the people want to live in harmony. Although there are no Serbs serving on the Council, there were two until just recently. There are a small number of Serbs who would be willing to change houses with Croats living in Vojvodina.

A. Gradište. The church is standing and is undamaged, although the parish house has been destroyed, as well as seven other houses in the village. There are 22 empty houses in the village and 20 houses occupied by elderly residents. The village population consists of 95 per cent Serb and approximately 5 per cent Croat.

Latinovac. The church has not been harmed by the war, but it does show signs of damage and requires normal maintenance. The population of the village is 70 per cent Serb and 30 per cent Croat. There are no blown-up houses and most of the people who remain in the village are elderly. There was no fighting in this village during the war and all the residents live in harmony.

C. Ciglenik. Three houses have been blown up and three houses burned, with the last house blown up in August and the last provocation was about mid-October with rifle fire through a window in one house. The residents of the village are afraid and some would like to exchange houses, but have not the proper papers to do so.

D. Kula. Almost 60 per cent of the villagers have changed houses and 35 per cent of those remaining are old. There are nine Serbs who have a position with the village committee and the village appears peaceful. There is some attempt to change the name of the village to Hrtôvci.

A. Crkveni Vrhovci. The church was destroyed on 3 June 1992 and only the tower remains standing and appears to be in good shape. All Serb inhabitants have remained in the village and are well, with only very minor provocations reported. The residents would like to rebuild the church, but do not have the money to do so.

APPENDIX II

An interim report of 27 August 1992 on the churches in Croatia from the European Community Monitoring Mission to Yugoslavia in Belgrade to Archdeacon Rakić

With reference to your letter of 29 July 1992, herewith is an interim verbatim report from our people in Nasice on this matter. We hope to have more later.

1. Budimici/Bela Loza

1.	Budimici.	The church has been lightly damaged. The house of the priest is still in good condition. Around 5 houses have been blown up. About 60 men are in jail awaiting trial for illegal ownership of weapons. Morale is good.
2.	Bela Loza.	The situation is relatively quiet. No houses have been blown up. A few tractors were stolen in July.
2.	Podravska Slatina.	The priest was present with his wife during the meeting. 400 families have left the town since 1991. About 10 families have departed each month for the last three months as opportunities to exchange properties with Croats have arisen. The priest encourages these departures, but is not really happy about it. Around 300 houses have been blown up since last year.
3.	Virovitica.	The situation remains tense. Terrorists are few because of the distance from the front line. Some houses have been blown up, but it was impossible to get accurate information.
4.	Dijelka.	The priest departed when his house was blown up. The people are in good condition, but the situation remains tense.
5.	Gradina.	Some houses have been destroyed, but there are Serbs still living in the town.
6.	Gaciste.	50 per cent Serb/Croat. Relations between the communities are stable at present. Few houses have been destroyed. The last one was blown up eight weeks ago.
7.	Sokolac.	3 houses have been blown up. People seem to be living normally, but some Serbs have departed. Threat is low.

8. Gornji Miholjac. The situation is still very tense. There are threats from extremists, which police are trying to deal with. The priest has been living elsewhere since his house was blown up on 18 July and he is still receiving threats.

Generally the situation is described as tense for the Serbian people who live in the Marcice community.

We hope this rather scanty information is of help. More will follow in due course.

With best wishes

Michael SHUTTLEWORTH